

AN ACT

RELATING TO PRESCRIPTION DRUGS; ALLOWING THERAPEUTIC
INTERCHANGE OF ALTERNATE DRUGS UNDER CERTAIN CIRCUMSTANCES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Drug Product Selection
Act is enacted to read:

"THERAPEUTIC INTERCHANGE OF PRESCRIPTION DRUGS
AUTHORIZED.--

A. Upon receipt of a prescription written by a
licensed practitioner who may prescribe drugs, a pharmacist
may exchange a therapeutically alternate drug in accordance
with prior authorization granted by the prescribing
practitioner.

B. As used in this section:

(1) "prior authorization" means written,
electronic or telephonic authorization for a pharmacist to
execute a therapeutic interchange of a drug for which a
prescription is being presented;

(2) "therapeutic alternate" means a drug
product with a different chemical structure than the drug
prescribed but that is of the same pharmacological or
therapeutic class and that can usually be expected to have
similar therapeutic effects and adverse reaction profiles when
administered to patients in therapeutically equivalent doses;

and

(3) "therapeutic interchange" means the authorized exchange of a therapeutic alternate drug within a formulary system or preferred drug list established in accordance with previously approved written guidelines or protocols." _____

Page 2

HB 697